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ON PETITION

In re Application of
Charles Jack Fisher, et. al.
Application No. 09/458,905
Filed: December 10, 1999
Attorney Docket No. X-12448

This is a decision on the petition under 37 CFR 1.137(b), filed December 7, 2000, to revive the above-identified application.

The petition is **GRANTED**.


The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed May 18, 2000, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned after midnight August 18, 2000.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is not a correct interpretation of the statement contained in the instant petition.

The above-identified application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the above-identified application, the above-identified application is again abandoned in favor of continuing application No. 09/731,467.

The application file is being forwarded to Files Repository.

Telephone inquiries concerning this decision should be directed to Andrea Coram at (703) 308-6711.


Andrea Coram
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for Patent Examination Policy